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12 UNITED STATES DISTRICT COURT  
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
14

15 GIL CROSTHWAITE and RUSS BURNS, in  
their respective capacities as Trustees of the  
16 OPERATING ENGINEERS' HEALTH AND  
WELFARE TRUST FUND, et al.,

17 Plaintiffs,

18 v.

19 FOSTER & SONS GENERAL  
20 ENGINEERING CONTRACTORS, INC., a  
California corporation,

21 Defendant.  
22

Case No.: C10-0457 MMC

**STIPULATION FOR EXTENSION OF  
AMENDED MOTION FOR DEFAULT  
JUDGMENT HEARING DATE**

Date: August 13, 2010  
Time: 9:00 a.m.  
Location: 450 Golden Gate Avenue  
San Francisco, California  
Courtroom: 7, 19<sup>th</sup> Floor  
Judge: Honorable Maxine M. Chesney

23 Plaintiffs and Defendant jointly request that the Amended Motion for Default Judgment  
24 hearing currently scheduled for August 13, 2010, at 9:00 a.m., be extended for two weeks, as  
25 follows:  
26  
27  
28

1. Plaintiff OPERATING ENGINEERS' HEALTH AND WELFARE TRUST FUND filed an Amended Motion for Default Judgment ("Motion") against Defendant FOSTER & SONS GENERAL ENGINEERING CONTRACTORS, INC. on July 9, 2010.

2. The Motion is set for hearing for August 13, 2010.

3. The parties are presently engaging in settlement negotiations, which, if successful, will resolve this matter.

4. We therefore jointly request that the Amended Motion for Default Judgment hearing be continued to August 27, 2010 in order to allow Plaintiffs time to prepare the Stipulation for Defendant to review and execute it.

Dated: July 23, 2010

SALTZMAN & JOHNSON  
LAW CORPORATION

\_\_\_\_\_/s/  
Michele R. Stafford  
Attorney for Plaintiffs

Dated: July 23, 2010

McCORMICK, BARSTOW, SHEPPARD,  
WAYTE and CARRUTH, LLP

\_\_\_\_\_/s/\_\_\_\_\_  
Marisa L. Balch, Esq.  
Attorney for Defendant

ORDER

The Amended Motion for Default Judgment hearing currently scheduled for August 13, 2010 at 9:00 a.m. is hereby extended to August 27, 2010.

Date: July 28, 2010

*Mafine M. Cheney*  
UNITED STATES DISTRICT COURT JUDGE